IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8782 OF 2005

Shankar Pahilani .. Petitioner

Versus

The Deputy Commissioner,

Circle-1, Navi Mumbai & Anr. .. Respondents

Mrs.V.B.Thadani for petitioner

Mr.A.A.Garge for respondents

CORAM : S.C.DHARMADHIKARI, J.

DATE : 20th January 2006.

P.C.

. According to Ms.Thadani, learned Counsel appearing for petitioner, all that the petitioner

seeks from Navi Mumbai Municipal Corporation is a certificate of authorisation of the premises wherein, petitioner proposes to set up wine shop. Corporation is not concerned with either permission to conduct the wine shop or grant of licence pertaining thereto. Yet, by the order impugned in this petition, the Corporation taking upon itself the task of licensing body has refused simple request for issuance of authorisation certificate.

2. Mr.Garge, learned Counsel appearing for Corporation contends that the petitioner has applied afresh for issuance of authorisation certificate on 9th November 2005 and the said application is still pending. In my view, interest of justice would be served if the Corporation is directed to consider the application made by petitioner on 9th November 2005 for issuance of authorisation certificate in respect of shop No.2 Plot No.21, Agarwal Corner,

Sector 21, Nerul and pass appropriate orders thereon in accordance with law, uninfluenced by the communication dated 19th October 2005 which is impugned in this petition. With the above direction, petition is disposed of.

(S.C.DHARMADHIKARI, J)